



City of Milwaukee

Meeting Minutes

COMMUNITY SERVICE STAFFING TASK FORCE

200 E. Wells Street
Milwaukee, Wisconsin
53202

*Ald. Terry Witkowski, Chair; Deputy City Attorney Linda Burke, Larry Moore, William
Gielow, David Feldmeier, David Heard, Deputy Inspector Anna M. Ruzinski, David Schroeder*

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Friday, February 10, 2006

1:30 PM

City Hall, Room 301-A

Meeting Convened: 1:40 P.M.

*Members Present: Ald. Witkowski, Deputy City Attorney Burke, Mr. Moore, Mr.
Feldmeier, Mr. Heard, Deputy Inspector Ruzinski and Mr. Schroeder.*

Members Excused: Mr. Gielow

- 1) Approval of the minutes of the January 27, 2006 meeting.

Motion to amend the minutes to include safety issues

*Motion by Mr. Feldmeier to amend the minutes by adding safety issues under the
challenges category.*

*Motion by Deputy Inspector Ruzinski to approve the minutes as amended. Seconded by
Deputy City Attorney Burke.*

Prevailed. 7-0

- 2) Comments from Chairman

*Introduction of and welcome Mr. Larry Moore, appointed to the Community Service
Staffing Task Force, to replace Mr. Tyrone Dumas.*

*Discussion of challenges and benefits categories developed at the January 27, 2006
meeting. Ald. Witkowski advised members that these topics would be discussed
throughout the course of the task force. In addition there would be distribution of
researched documents, by LRB staff relative to these areas later in the meeting. Burma
Hudson, Department of Employee Relations was also present at the meeting to discuss
safety issues.*

*Mr. Moore suggested that infrastructure and citizen response to CSO's be listed in both the
benefit and challenge categories.*

Challenges

-Unions, bargaining agent, who will represent the CSO?

-Who will CSOs' report to?

- Safety issues for CSO/citizen in escalating circumstances (i.e. priority 4 to a priority 2 or 1)
- Will benefits outweigh cost (vehicles, uniforms, training, salary, benefits)
- InFrasture
- Contractual obligations
- Redevelopment, what level of enforcement?
- Legal Issues?
- Training?
- Citizen response, satisfaction, acceptance.

Benefits

- Improved response time
- Freeing up sworn officers to respond to higher priority calls
- Deterrence
- Visibility
- Customer satisfaction
- Cost benefits
- Possible police recruits
- InFrasture
- Citizen response, satisfaction, acceptance.

3) Member Questions

Mr. Feldmeier asked if there was specific information available regarding the social economic base of cities who have used Community Service Staffing Officers (CSO's), including population, crime rate, citizen response and other relevant data?

Mr. Ramion advised that he had recently communicated with a supervisor from Orlando Florida regarding their CSO program. He explained that the CSO's in the Florida program appeared to be deployed to certain job specific duties.

Mr. Moore advised members that his research relative to CSO's revealed that in most instances, CSO are trained not to enter into threatening situations but to find safe refuge and report incidents to the police department.

4) Legal briefing of what can be done with or without law charges

Deputy City Attorney Burke addressed the task force regarding the following legal views relative to Community Service Officers (CSO):

What do you want CSO's to do?

Deputy City Attorney Burke advised task force members that after a determination has been made as to the types of responsibilities a CSO's might be assigned, may be better researched after the task force has had the opportunity to review the types of designation by ordinance, how these designations should be written and the types of liabilities involved.

Can CSO's deal with traffic violations?

Under State Law when there is a traffic violation, moving violations must use the uniform traffic citation. Usually the only people who can write a uniform traffic citation are officers of a law enforcement agency. Typically a law enforcement officer is a police officer. City

Attorney Burke emphasized the fact that the contents indicated that individuals issuing traffic citations should be an officer of a law enforcement agency, not a law enforcement officer.

Technically someone who works at the police department could issue uniform traffic citations however, if they are non-civilian they have to be an officer.

There is currently a charter provision that list those who officers of the city are. Police officers are included. There is also a charter provision that talks about what personnel at the police department are civilians versus police officers.

Theoretically, the council can add a new class of officers to the charter on civilians versus non-civilians. However, the bottom line is that a civilian employee at the police department cannot write uniform traffic citations and could not enforce traffic (moving) violations.

Currently the ordinance as written directs that only a police officer can write a citation for a moving violation.

Ald. Witkowski requested clarification of whether the council could authorize someone with the title of officer to write citations?

Attorney Burke advised that it would have to be in the police department, an officer of a law enforcement agency. She further advised that the term officer is a very key term. This could impact the collective bargaining agreements, in addition to a variety of other things. It cannot be a civilian member of a law enforcement agency, it has to be a officer of a law enforcement agency.

Ald. Witkowski asked whether members were familiar with the Monroe County Traffic Police?

Deputy Inspector Burke responded "that these individuals may be police or officers of a law enforcement agency, if they can write uniform traffic citations, they have to be designated as officers of a law enforcement agency by city ordinance and law. Current city ordinance identifies these individuals as non-civilians in the police department".

Ald. Witkowski referenced the historical background, of the state patrol only having the authority to issue traffic citations .

Deputy City Attorney Burke advised that those individuals were identified as traffic officers.

Deputy City Attorney Burke continued by addressing other types of citations that may be written employees in various entities.

Municipal Court citations are not considered uniform traffic citations, these are listed as all other citations including parking citations. These have to be signed by a police officer or the common council may designate by ordinance or resolution other municipal officials who may issue citations, with respect to ordinances which are directly related to their official responsibilities. Those officials can then grant authority to write citations to their employees. This relates to parking checkers and housing authority personnel who currently write parking citations.

Several years ago there was a City Attorney Opinion written by the City Attorney's Office explaining how municipal citations could be written by people other than police officers, if those officials were only given the authority to write tickets within their area of responsibility. They could then designate their own employees to write tickets.

This would include building code types of violations (burning leaves, etc.) could be written by employees if they are municipal citations, as long as the common council approves that delegation.

Deputy City Attorney Burke further explained that currently, the Common Council has granted the Commissioner of Public Works the authority to issue citations concerning parking. This is directly within the responsibility of the Commissioner of Public Works. The Commissioner of Public Works has been allowed to designate employees to carry out these responsibilities with approval of the Common Council.

There is a resolution establishing these guidelines, which is how the parking checkers were moved over to the Department of Public Works. This is also the result of a resolution that actually predates that concerning Housing Authority employees.

Deputy City Attorney Burke advised that this could be expanded by Common Council resolution and ordinance.

Deputy Inspector Ruzinski commented that consideration of this would open up a new feasible area for the task force to review to address the issue of CSO safety. She advised that if by ordinance and resolution, other city departments could be authorized to issue citations within the purview of their jobs, then police officers would not be required to respond to calls for complaints for things such as barking dogs, loud music, etc.

Deputy City Attorney Burke advised that there are currently designations where certain other officials are allowed to write citations throughout the ordinances, particularly in the health area.

Deputy Inspector Ruzinski commented that as the Chief looks at calls for service that the police department commonly responds to, compared to calls for service that other jurisdictions respond to are there some that citizens have become accustomed to having law enforcement in the city respond that could be deflected to another city agency. She also advised that the police department is currently doing a study on this matter.

Deputy City Attorney Burke advised that the individual hired in a civilian capacity would not have arrest powers or order someone to do something or take anyone into custody, they could simply write a citation. In addition, there would be no penalty for disobeying an order for an individual authorized to write citations. If a dangerous situation were to occur there would be liability, training and policy issues that would have to be addressed separately.

They would however have authority, if properly designated to write municipal citations.

Mr. Moore addressed the issue of departments having additional responsibilities especially considering the current budget constraints.

Ald. Witkowski questioned the possibility of CSO's responding to complaints of loud music, noise, etc., and having the ability to contact the law enforcement authorities after responding to 2 calls from the same individual(s), having a police officer issue citations.

Deputy City Attorney Burke commented that CSO's would have little option to addressing a potentially dangerous situation, with the exception of leaving the premises. CSO's could appear as a witness if a citation was issued by a police officer. In addition, they cannot be designated to keep order in the city, they can however be a tool of the police department to investigate minor instances. They can serve notice, observe and advise.

Directing Traffic:

An individual is only required to comply with the lawful direction of a traffic officer. There is only a penalty for not complying with the lawful direction of a traffic officer. There is a special statute that allows cities to appoint school crossing guards to direct traffic, however that cannot issue orders or write citations. They can simply observe and write a report, the police department would then follow-up.

A traffic officer is every officer authorized by law to direct or regulate traffic or to make an arrest for violation of traffic violations. There is a statute that indicates that police officers, sheriffs and deputy sheriffs and traffic officers are authorized to direct traffic in person or by signals.

Deputy City Attorney Burke advised of the clear indication that anyone directing traffic must be a designated traffic officer. She commented that she did not believe the city of Milwaukee had designated traffic officers but that police officers and traffic officers were one in the same in the city of Milwaukee. However, theoretically they can be different and that there are statutes they say that individuals regulating or directing traffic can be either a traffic officer or a police officer. At any rate, a traffic officer would not have the ability to make an arrest for crimes.

She continued by defining officer according to the city charter as city officers, which include police officers as listed. She advised that there would have to be changes to the city charter to create a class of officers of a law enforcement agency called a traffic officer. The state does have traffic officers who are not actual police officers.

Ald. Witkowski asked the length of time involved in charter changes compared to regular ordinance changes?

Deputy City Attorney Burke advised that charter changes without challenges could take approximately 60 days to go into effect, without challenges.

Ald. Witkowski addressed the task force with clarification of his intent. He commented that his main objective was to review various job position within the city to determine how to best utilize CSO officers, for instance, to free up officers who are currently being used to address particular situations to be available for more serious issues.

Finally, Deputy City Attorney Burke advised that in order to allow anyone other than a police officer to write a municipal court citation, there must be a Common Council authority. And in order to write a traffic citation an individual must be an officer of a law enforcement agency. She further advised that if a CSO with traffic officer powers, that individual could be authorized to write municipal court citations.

Deputy Inspector Ruzinski advised that parking checkers previously under the direction of the police department served as CSO's.

- 5) Review of job descriptions for Police Service Specialist and Police Aides in the Milwaukee Police Department

Deputy Inspector Ruzinski addressed the task force regarding two civilian positions within the Milwaukee Police Department, which are non-sworn positions; for the purpose of reviewing some of the types of duties surrounding these individuals :

Police Aide: Police Aides serve within the department similar to a trainee or an apprentice. Their functions are clerical in nature and will be performed in a district station or in a specialized division or bureau. They perform a wide variety of assignments, which allow them to experience the various operational and administrative functions of the Department, thereby preparing them for a successful law enforcement career. Upon successful completion of the Police Aide Program requirements, a Police Aide is appointed to Police Officer.

Deputy Inspector Ruzinski advised that under careful supervision Police Aides are used in sting operations.

Police Services Specialist: Civilian positions of a full or half-time nature are available in the Milwaukee Police Department for police officers who retire from the department. The specific duties of the Police Services Specialist positions vary depending on the actual assignment and may include but are not limited to performing tasks related to conducting background investigations of police officers and other departmental job candidates, investigative duties of the License Investigation Unit, and administrative and/or support duties in such locations as the Prisoner Processing Section, District Stations, and Vehicle Services Division.

Deputy Inspector Ruzinski advised that currently there are approximately 20 retired officers serving as Police Services Specialist.

Ald. Witkowski questioned why Police Service Specialist were not being utilized more within the police department.

In addition, Ald. Witkowski requested LRB staff research whether there is a prohibition to retirees working as Police Service Officers, if so, why.

Deputy Inspector Ruzinski commented that the possibility of reviewing Police Service Specialist, similar to adult police aides, working in front end positions within the police department might be another option. The extra benefit to this would be to that these individuals could serve in this capacity would gain a good employment record and college credits with incentives for future participation in a academy class.

She added, the additional benefit for the police department would be cost savings due to lower salary rates, with more able bodied officers available to answer calls on the street.

Mr. Ramion advised the task force that his research revealed that most cities with CSO's utilize them in the capacity as indicated by Deputy Inspector Ruzinski.

Mr. Heard recommended increasing the current number of Police Services Specialist by 10 and allowing individuals who have resigned in good standing, in addition to retirees apply for these positions on a part time basis.

Ald. Witkowski requested Deputy Inspector Ruzinski forward information to city clerk staff relative to the number of full and part time positions currently existing in the Milwaukee Police Department.

Deputy Inspector advised that hiring resignees to apply for Police Services Specialist would allow female officer with experience the opportunity to return on a part time basis.

6) Legislative Reference Bureau Research

Mark Ramion from the Legislative Reference Bureau addressed the task force regarding research of the Orlando FL. and their use of Community Service Officers.

Mr. Ramion reported the following:

Mr. Ramion advised members that he researched Orlando's CSO program because it appears that the program they have in place is similar to what the task force might have in mind for the city of Milwaukee.

Mr. Ramion spoke with a CSO Supervisor from Orlando Florida. He advised Mr. Ramion that the CSO positions in Orlando were primarily developed to relieve sworn police officers from traffic crashes.

CSO's in Orlando serve as crash investigators and are included as traffic officers in the Florida state statutes. CSO's have the ability to write traffic citations. There are currently 31 positions in Orlando, with the use of 3 squads. In addition, CSOs work out of one section of the city. The CSO Supervisor has an equivalent rank of a sergeant and does most of the coordination work for CSO's.

The chain of command consist of Chief, Captain and a Lieutenant with a final focus on the CSO program. Further research revealed that CSO are authorized to investigate crashes up to and including fatalities. After investigations they have the authority to write citations based upon a mistake that may have lead to an accident. CSO's are include as traffic officers in the Florida state statutes. CSO's also do forgery investigations, burglaries, gathering and submitted evidence to a lab. CSO's go through a 7 month training program.

Orlando's CSO's do not have arrest powers, however they are equipped with chemical agents, uniforms, body armour (vest) and marked CSO vehicles.

Further information regarding Community Service Officers maybe viewed at CommunityServiceOfficer.com

Review of Officers in the city of Milwaukee with authority to write citations:

Review of memo to Ald. Witkowski from Mr. Ramion regarding individuals who have the power to write citations.

Presentation by Burma Hudson, Department of Employee Relations relative to Milwaukee Health Department's Summary of Incidents.

Ms. Hudson reviewed external and citizen threats within the Health Department.

8) Future direction of task force.

Discussion of letter and survey from Ald. Witkowski inviting public comment to the February 24, 2006 meeting of the Community Service Task Force.

Ald. Witkowski requested members review the complaint types by priority document and submit responses to Mark Ramion by the Wednesday prior to the March 24th meeting.

At the next meeting of the Community Service Task Force will include Public Comments regarding Community Service Officers, LRB research, review of priority list and a possible telephone interview relative to CSO's.

9) Public Comments

There were no public comments.

10) Next meeting time and date

The next meeting is scheduled February 24, 2006, 1:30 P.M. 301-A.

Meeting Adjourned: 3:36 p.m.

*Diana Morgan
Staff Assistant*

*Information researched by the task force may be reviewed by logging on to
<http://legistar.milwaukee.gov/mattersearch> and entering Common Council File # 05132.*